Docket No.: 0649-1380PUS1

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Kazutaka IKEDA et al.

Application No.: 10/594,597

Confirmation No.: 6839

Filed: September 28, 2006

Art Unit: 1797

For: METHOD OF EVALUATING DRUG

SENSITIVITY BY ANALYZING THE MU-

OPIOID RECEPTOR GENE

Examiner: Not Yet Assigned

# INFORMATION DISCLOSURE STATEMENT (SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

## 1. <u>LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION</u>

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-SB08(s), attached hereto.

### II. COPIES

a. Copies of cited U.S. patents and patent application publications are not included.

Copies of foreign patent documents and non-patent literature are included.

IV. FEES (check one box) П This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required. b. This Information Disclosure Statement is being filed concurrent with the filing of a continuation-in-part, continuation, or divisional patent application; therefore, no fee is required. This Information Disclosure Statement is being filed within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's.) d. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required. This Information Disclosure Statement is being filed concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.  $\boxtimes$ f. This Information Disclosure Statement is being filed before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account for the fee as required by 37 C.F.R. § 1.17(p). П g. This Information Disclosure Statement is being filed before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)). No statement; therefore, a fee as required by 37 C.F.R. § 1.17(p) is attached. or

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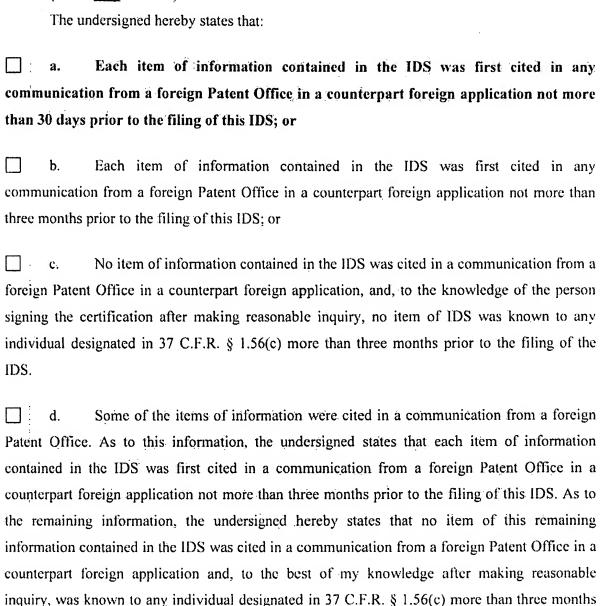
See the statement below. No fee is required.

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## V. STATEMENT UNDER 37 C.F.R. § 1.97(e)

(check only one box)

prior to the filing of this statement.



Application No.: 10/594,597 Docket No.: 0649-1380PUS1

VI.	PAYM	IENT	OF FEES (c	heck one l	pox)				
		The required fee is listed on the attached Fee Transmittal.							
	$\boxtimes$	No fee is required.							
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time fe	ees.					•	•		
Dated:	N	<b>A</b> AR	7 2008		Respectfully	submitted,	;		
Attach	ment(s) PTO/S Docum	B/08 nent(s	· ·) rch Report(s)		By Marc S. Wein Registration M BIRCH, STE 8110 Gatehou Suite 100 Eas P.O. Box 747 Falls Church, (703) 205-800 Attorney for A	No.: 32,18 WART, K use Road st Virginia 00	OLASCH	& BIRCH, LLP	
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TE-

Fee

Other: